

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

UNITED STATES OF AMERICA,

Plaintiff

versus

ROWLAND M. ANDRADE,

Defendant

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C. A. No. C-10-306
(CDCS: 2010A65445)

MOTION TO DISMISS WITHOUT PREJUDICE

To the Honorable District Judge:

COMES NOW, the UNITED STATES OF AMERICA (“USA”), Plaintiff in the above entitled and numbered cause of action, and asks the Court for an Order Dismissing its claims filed against Defendant, Rowland M. Andrade (“Andrade”) without prejudice, and would respectfully show the Court that it has been unsuccessful in locating and serving the Defendant.

WHEREFORE, PREMISES CONSIDERED, USA requests that this Court enter an Order Dismissing all claims against Andrade, without prejudice to USA’s right to refile same and that all costs of Court and attorney’s fees are to be borne by the party or parties incurring same.

Respectfully submitted,

By: /s/ M. H. Cersonsky
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